

Nicholas J. Santoro (Nev. Bar No. 532)  
Jason D. Smith (Nev. Bar No. 9691)  
**SANTORO WHITMIRE, LTD.**  
10100 W. Charleston Blvd., Suite 250  
Las Vegas, NV 89135  
Tel.: (702) 948-8771 / Fax: (702) 948-8773  
E-mail: nsantoro@santoronevada.com,  
jsmith@santoronevada.com

Christopher N. Sipes (admitted *pro hac vice*)  
Einar Stole (admitted *pro hac vice*)  
Michael N. Kennedy (admitted *pro hac vice*)  
Megan P. Keane (admitted *pro hac vice*)  
Eric R. Sonnenschein (admitted *pro hac vice*)  
Alaina M. Whitt (admitted *pro hac vice*)  
Han Park (admitted *pro hac vice*)  
Jordan L. Moran (admitted *pro hac vice*)  
**COVINGTON & BURLING LLP**  
One CityCenter, 850 Tenth Street, NW  
Washington, DC 20001  
Tel: (202) 662-6000 / Fax: (202) 662-6291  
E-mail: csipes@cov.com, estole@cov.com,  
mkennedy@cov.com, mkeane@cov.com,  
esonnenschein@cov.com, awhitt@cov.com,  
hpark@cov.com, jmoran@cov.com

*Attorneys for Plaintiffs Amarin Pharma, Inc. and  
Amarin Pharmaceuticals Ireland Limited*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

AMARIN PHARMA, INC. and AMARIN  
PHARMACEUTICALS IRELAND LIMITED,

Plaintiffs,

v.

HIKMA PHARMACEUTICALS USA INC., *et*  
*al.*,

Defendants.

CASE NO.: 2:16-cv-02525-MMD-NJK

(Consolidated with 2:16-cv-02562-MMD-  
NJK)

**JOINT STIPULATION FOR  
EXTENSION OF TIME FOR EXPERT  
DISCOVERY DEADLINE (SECOND  
REQUEST) AND CLAIM REDUCTION  
DEADLINE (FIRST REQUEST)**

1 Plaintiffs Amarin Pharma, Inc. and Amarin Pharmaceuticals Ireland Limited  
2 (collectively, “Amarin”), Defendants Hikma Pharmaceuticals USA Inc. and Hikma  
3 Pharmaceuticals International Limited (collectively, “Hikma”) and Defendants Dr. Reddy’s  
4 Laboratories, Inc. and Dr. Reddy’s Laboratories, Ltd. (collectively, “DRL”) in the above-  
5 referenced consolidated action with the Court’s consent, hereby stipulate and agree that the  
6 Court’s September 14, 2018 Order upon the parties’ Stipulation and Order for Discovery Plan  
7 (ECF No. 146, the “Discovery Plan”) and instructions from the April 17, 2019 status hearing  
8 (ECF No. 203), shall be modified as set forth below. The parties agree that good cause exists to  
9 modify the existing schedule as the parties are diligently working together to complete expert  
10 witness depositions and, due to the coordination of experts’ schedules, the existing deadlines  
11 require minor extensions to permit the parties to complete the pending discovery in advance of  
12 Amarin identifying the nature and extent of the reduction of its claims. This is the second  
13 request made by the parties for a change to the deadline for the completion of expert discovery<sup>1</sup>  
14 and the first request made by the parties for the change to the deadline for Amarin to provide  
15 notification of the reduction of claims.

16 **I. Current Status of Discovery**

17 At present, the parties have conducted a substantial amount of discovery. The parties  
18 have exchanged their Fed. R. Civ. P. 26(a)(1) initial disclosures, in addition to the patent  
19 disclosures, document productions, and contentions required under Local Patent Rules 1-6  
20 through 1-10. The parties have also complied with the claim construction requirements under  
21 Local Patent Rules 1-13 through 1-16, and the Court held a claim construction hearing on April  
22 24, 2018. The parties have also substantially completed document production pursuant to the  
23

---

24 <sup>1</sup> This is the second stipulated request by the parties to change the date of the completion of  
25 expert discovery. The first request, ECF No. 145, became the Court’s Discovery Plan (ECF No.  
26 146). In addition, Defendant DRL made a request to extend certain discovery deadlines (ECF  
27 No. 165), which resulted in the current expert discovery deadline of July 10, 2019 (ECF No.  
180).

Discovery Plan (ECF No. 146). Plaintiffs and Defendants have also each served responses to various written discovery requests, including document requests and interrogatories.

Expert depositions began on June 19 with the depositions of Dr. Preston Mason and Mr. Ivan Hofmann. Twelve more expert depositions have been scheduled: Mr. Steve Kunin, Dr. Firhaad Ismail, Mr. Nicholas Godici, Mr. Peter Mathers, Dr. Carl Peck, Dr. Jonathan Sheinberg, Dr. Edward Fisher, Dr. Sean Nicholson, Dr. John Kornak, Dr. Peter Toth, Dr. Matthew Budoff, and Dr. Jay Heinecke. Of the fourteen depositions, the parties were able to schedule all but two—the depositions of Drs. Budoff and Heinecke—before the current July 10 deadline.

As discussed above, while the parties have scheduled all expert depositions in this case, they require a one-week extension of the deadline for completion of expert discovery to accommodate scheduling of two expert depositions due to the coordination of counsel's schedules and the schedules of experts who reside in various locations in the United States. Relatedly, because of this modest extension in the deadline to complete expert depositions, the parties have agreed to a slight extension of the deadline by which Amarin must reduce the number of asserted claims in this case. As a result, the parties request seven additional days to complete expert discovery and two additional days thereafter for Amarin to identify the reduced number of claims it is asserting in this case (for a total of a nine-day extension of the deadline for Amarin to reduce its asserted claims).

## **II. Agreed-Upon Modifications to the Discovery Plan**

The parties respectfully submit that good cause exists to modify the Discovery Plan in this case and apply the agreed-upon dates below.

<b>Event</b>	<b>Existing Deadline</b>	<b>Proposed Modification</b>
Close of Expert Discovery	July 10, 2019	July 17, 2019
Claim Reduction Deadline	July 10, 2019	July 19, 2019

All other requirements in the Order (ECF No. 146) and the Court's Order Setting Trial (ECF No. 213) would continue to govern.

DATED: June 19, 2019

Respectfully submitted,

/s/ Jason D. Smith

Nicholas J. Santoro (Nev. Bar No. 532)  
Jason D. Smith (Nev. Bar No. 9691)  
SANTORO WHITMIRE, LTD.  
10100 W. Charleston Blvd., Suite 250  
Las Vegas, NV 89135  
Tel.: (702) 948-8771 / Fax: (702) 948-8773  
Email: nsantoro@santoronevada.com,  
jsmith@santoronevada.com

/s/ Constance S. Huttner

Michael D. Rounds (Nev. Bar No. 4734)  
Ryan J. Cudnik (Nev. Bar No. 12948)  
BROWNSTEIN HYATT FARBER  
SCHRECK, LLP  
5371 Kietzke Lane  
Reno, NV 89511  
Tel.: (775) 324-4100 / Fax: (775) 333-8171  
Email: mrounds@bhfs.com,  
rcudnik@bhfs.com

Christopher N. Sipes (admitted *pro hac vice*)  
Einar Stole (admitted *pro hac vice*)  
Michael N. Kennedy (admitted *pro hac vice*)  
Megan P. Keane (admitted *pro hac vice*)  
Eric R. Sonnenschein (admitted *pro hac vice*)  
Alaina M. Whitt (admitted *pro hac vice*)  
Han Park (admitted *pro hac vice*)  
Jordan L. Moran (admitted *pro hac vice*)  
COVINGTON & BURLING LLP  
One CityCenter, 850 Tenth Street, NW  
Washington, DC 20001  
Tel.: (202) 662-6000 / Fax: (202) 662-6291  
Email: csipes@cov.com, estole@cov.com,  
mkennedy@cov.com, mkeane@cov.com,  
esonnenschein@cov.com, awhitt@cov.com,  
hpark@cov.com, jmoran@cov.com  
*Attorneys for Plaintiffs Amarin Pharma, Inc.  
and Amarin Pharmaceuticals Ireland  
Limited*

Constance S. Huttner (admitted *pro hac vice*)  
Frank D. Rodriguez (admitted *pro hac vice*)  
Caroline Sun (admitted *pro hac vice*)  
Beth Finkelstein (admitted *pro hac vice*)  
WINDELS MARX LANE &  
MITTENDORF, LLP  
1 Giralda Farms, Suite 100  
Madison, NJ 07940  
Tel.: (973) 966-3200 / Fax: (973) 966-3250  
Email: chuttner@windelsmarx.com,  
frodriguez@windelsmarx.com,  
csun@windelsmarx.com,  
bfinkelstein@windelsmarx.com

*Attorneys for Defendants Dr. Reddy's  
Laboratories, Inc. and Dr. Reddy's  
Laboratories, Ltd.*

/s/ Claire A. Fundakowski

Wayne A. Shaffer (Nev. Bar No. 1519)  
LAXALT & NOMURA, LTD.  
9790 Gateway Drive, Suite 200  
Reno, NV 89521  
Tel: (775) 322-1170  
Email: wshaffer@laxalt-nomura.com

George C. Lombardi (admitted *pro hac vice*)  
WINSTON & STRAWN LLP  
35 W. Wacker Drive

1 Chicago, IL 60601  
2 Tel: (312) 558-5969  
3 Email: glombard@winston.com

4 Charles B. Klein (admitted *pro hac vice*)  
5 Claire A. Fundakowski (admitted *pro hac vice*)  
6 WINSTON & STRAWN LLP  
7 1700 K Street N.W.  
8 Washington, DC 20006  
9 Tel.: (202) 282-5000  
10 Email: cklein@winston.com,  
11 cfundakowski@winston.com

12 Eimeric Reig-Plessis (admitted *pro hac vice*)  
13 WINSTON & STRAWN LLP  
14 101 California Street  
15 San Francisco, CA 94111  
16 Tel.: (415) 591-6808  
17 Email: ereigplessis@winston.com

18 *Attorneys for Defendants Hikma*  
19 *Pharmaceuticals USA Inc. and Hikma*  
20 *Pharmaceuticals International Limited*

21 ITS IS SO ORDERED.

22 \_\_\_\_\_  
23 UNITED STATES MAGISTRATE JUDGE

24 Date: \_\_\_\_\_  
25  
26  
27

**CERTIFICATE OF SERVICE**

I hereby certify that on June 19, 2019, I caused true and correct copy of **JOINT STIPULATION FOR EXTENSION OF TIME FOR EXPERT DISCOVERY DEADLINE (SECOND REQUEST) AND CLAIM REDUCTION DEADLINE (FIRST REQUEST)** to be filed with the Clerk of the Court using the Court's CM/ECF system, and service was thereby effected electronically on the following counsel of record in this matter:

**Laxalt & Nomura, Ltd.**

Wayne A. Shaffer

Email: wshaffer@laxalt-nomura.com

**Winston & Strawn LLP**

George C. Lombardi

Email: glombard@winston.com

Charles B. Klein

Email: cklein@winston.com

Claire A. Fundakowski

Email: cfundakowski@winston.com

Eimeric Reig-Plessis

Email: ereigplessis@winston.com

**Locke Lord LLP**

Alan B. Clement

Email: aclement@lockelord.com

Myoka Kim Goodin

Email: mkgoodin@lockelord.com

Nina Vachhani

Email: nvachhani@lockelord.com

Jennifer Coronel

Email: jennifer.coronel@lockelord.com

*Attorneys for Defendants Hikma Pharmaceuticals USA, Inc. and Hikma Pharmaceuticals International Limited*

**Brownstein Hyatt Farber Schreck, LLP**

Michael D. Rounds

Email: mrounds@bhfs.com

Ryan James Cudnik

Email: rcudnik@bhfs.com

**Windels Marx Lane & Mittendorf, LLP**

Constance S. Huttner

Email: chuttner@windelsmarx.com

Frank D. Rodriguez

Email: frodriguez@windelsmarx.com

Caroline Sun

Email: csun@windelsmarx.com

Beth Finkelstein

Email: bfinkelstein@windelsmarx.com

*Attorneys for Defendants Dr. Reddy's Laboratories, Inc. and Dr. Reddy's Laboratories, Ltd.*

/s/ Rachel Jenkins

An employee of Santoro Whitmire